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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/033,148
Filing Date: October 23, 2001
Appellant(s): SIMPSON ET AL.

MAILED

MAY 17 2007

Technology Center 2600

Matthew L. Wade
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief 1/10/07 appealing from the Office action mailed 7/11/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

USPN 6,781,709

Nozawa

8-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11, 13-18, and 24-27-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Nozawa (U.S. Patent Number 6,781,709, cited in the Office action dated 2/1/06).

Regarding claim 11, Nozawa discloses a server (see Figs. 1-3), comprising means for receiving a request from a client (column 8, line 3-column 9, line 3), means for responding to the request by transmitting a program of computer readable instructions to the client (column 8, line 3-column 9, line 3, and column 12, lines 46-65), the program for enabling the client to use a specific printer having a plurality of output trays to print a document (column 8, line 25-column 9, line 65), and display an indicator that indicates the identity of an output tray from the plurality of output trays that receives the document (see Figs. 3, 18 and 19, column 9, line 66-column 10, line 65, and column 19, lines 19-51), wherein the server is the printer (see, Figs. 1 and 7, and column 8, line 14-column 9, line 48, and column 12, lines 46-65).

Regarding claim 13, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator includes an image of the printer (see Figs. 3-19).

Regarding claim 14, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator includes an image of the output tray that is receiving the document (see Figs. 18 and 19, column 19, lines 20-51).

Regarding claim 15, Nozawa discloses the server discussed above in claim 11, and further teaches that the client is a personal computer connected to the server over a network (column 8, line 14-column 9, line 48).

Regarding claim 16, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator further indicates the present capacity of the output tray that is receiving the document to accept additional media (see Figs.10, 12, 14, and 19, column 15, line 28-column 16, line 31, and column 19, lines 19-51).

Regarding claim 17, Nozawa discloses the server discussed above in claim 11, and further teaches that the indicator includes an animated image of the printer (see Fig. 19, and column 19, lines 19-51).

Regarding claim 18, Nozawa discloses the server discussed above in claim 11, and further teaches that the program is Web content (column 7, line 40-column 9, line 34).

Regarding claim 24, Nozawa discloses a printer having a plurality of output trays (see Fig. 3), comprising apparatus for responding to a request received from a client by transmitting a program of computer readable instructions to the client (column 8, line 3-column 9, line 3), the program for enabling the client to use the printer to print a document (column 8, line 25-column 9, line 65), and display an indicator that indicates an output tray from the plurality of output trays that receives the document (see Figs. 3, 18 and 19, column 9, line 66-column 10, line 65, and column 19, lines 19-51).

Regarding claim 25, Nozawa discloses the printer discussed above in claim 24, and further teaches that the indicator includes an image of the printer (see Figs. 10, 12, 14, and 19, column 15, line 28-column 16, line 31, and column 19, lines 19-51).

Regarding claim 26, Nozawa discloses the printer discussed above in claim 24, and further teaches that the program is further for enabling the client to inform a user the present capacity of the output tray receiving the document (see Figs. 10, 12, 14, and 19, column 15, line 28-column 16, line 31, and column 19, lines 19-51).

Regarding claim 27, Nozawa discloses the printer discussed above in claim 24, and further teaches that the indicator includes an animated image of the printer (see Figs. 18 and 19, and column 19, lines 19-51).

(10) Response to Argument

Applicant's arguments filed 1/10/07 have been fully considered but they are not persuasive.

1 Applicant argues that the 102 rejection of claim 16 should be withdrawn for at least the reason that Nozawa does not disclose at least the claim features that are highlighted in claim 16 above. The particular sections cited by the Office appears directed to dialog boxes that can be used to adjust printer settings. Nowhere does Nozawa describe an indicator that indicates the present capacity of the output tray that is receiving the document to accept additional media.

Nozawa, cites, in column 14, lines 31-56 discloses that "Output Paper Remains" is displayed. Lines 38-56 discloses sensors that are able to detect output papers remaining in the various bins. In the example, Nozawa shows this in Bin4, which indicates that the sensors are able to provide the user with the fact that there is an amount of output paper remaining, which is interpreted to be a present capacity of the amount of paper in an output bin.

Furthermore, indicating the "present capacity of the output tray that is receiving the document to accept additional media " can be interpreted as the ability or inability of the output tray to perform a task, which in this case is to accept additional media. Fig. 12 and column 15, lines 28-44 show that bins 1 and 3 are unavailable, while all others ones are available. The capacity of these available bins is "yes, capable", while the unavailable bins are "no, not capable."

The rejection is thus maintained.

(11) Related Proceedings(s) Appendix

No decisions rendered by a court or the Board is identified by the Examiner in the Related Appeals and Interferences section of this Examiner's Answer.

For the reasons above, it is believed that the rejections should be sustained.

Respectfully submitted,



Yixing Qin

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